

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81515 of 2024

Arising Out of PS. Case No.-172 Year-2015 Thana- DARIYAPUR District- Saran

Deepak Kumar Sah @ Deepak S/o Late Madan Sah R/o Village- Utri
Dahiyawan, P.S.- Chapra Town, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 18-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Sessions Trial No. 539 of 2024 arising out of Dariyapur P.S.
Case No. 172 of 2015 instituted for the offences under Section
302/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
Informant's husband with knife causing grievous injuries
leading to his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of knife blow is against the co-accused Ajay @ Raja. The petitioner has no concern with the co-accused Ajay @ Raja. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.06.2023 without any rhymes or reason. Charge-sheet has been submitted against the petitioner in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The Informant in her re-statement contained in Para-6 and several witnesses in Para- 8, 9, 10, 11 and 12 of the case diary have corroborated the allegations leveled in the F.I.R. The postmortem report also supports the prosecution case. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no



criminal antecedent as also there being no specific allegation against the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 539 of 2024 arising out of Dariyapur P.S. Case No. 172 of 2015.

(Rudra Prakash Mishra, J)

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